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### NOTICE OF ALLOWANCE AND FEE(S) DUE

26021

7590

06/21/2010

Hogan Lovells US LLP 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067

EXAMINER				
WIESE, NOAH S				
ART UNIT	PAPER NUMBER			
1793				

DATE MAILED: 06/21/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578.025	12/27/2006	Kunihide Shikata	81880.0145	5434

TITLE OF INVENTION: BIOMEDICAL MEMBER AND METHOD FOR PRODUCING THE SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/21/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

### Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where m

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)  26021 7590 06/21/2010				Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.					
Hogan Lovells US LLP 1999 AVENUE OF THE STARS SUITE 1400				State	eby certify that thes Postal Service wessed to the Mail	is Fee( vith sul Stop	e of Mailing or Trans s) Transmittal is bein fficient postage for fir ISSUE FEE address 1) 273-2885, on the c	g deposi st class above,	ited with the United mail in an envelope or being facsimile
LOS ANGELES	S, CA 90067								(Depositor's name)
									(Signature)
									(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVEN	TOR		ATTC	RNEY DOCKET NO.	CON	FIRMATION NO.
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nonprovisional	NO	\$1510	\$300		\$0		\$1810		09/21/2010
EXAM	MINER	ART UNIT	CLASS-SUBCLASS	3					
WIESE,	NOAH S	1793	501-105000						
CFR 1.363).  ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			registered attorney or agent) and the names of up to						
PLEASE NOTE: Un recordation as set for (A) NAME OF ASSI	less an assignee is ident th in 37 CFR 3.11. Com GNEE	A TO BE PRINTED ON ' ified below, no assignee pletion of this form is NO	data will appear on t T a substitute for filin (B) RESIDENCE: (G	he pa g an a	ntent. If an assign assignment. and STATE OR C	COUNT	TRY)		
Please check the appropr	riate assignee category or	categories (will not be pr	rinted on the patent):	Ч	Individual 🖵 Co	orporat	ion or other private gr	oup enti	ty 🖵 Government
4a. The following fee(s) are submitted:  ☐ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies			4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)  ☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).						
5. Change in Entity Sta		/							
	ns SMALL ENTITY state						ΓΙΤΥ status. See 37 C		
NOTE: The Issue Fee an interest as shown by the	records of the United Sta	uired) will not be accepte ttes Patent and Trademark	d from anyone other to COffice.	han th	ne applicant; a regi	stered	attorney or agent; or t	ne assig	nee or other party in
Authorized Signature					Date				
Typed or printed name					Registration N	lo			
an application Confider	ntiality is governed by 35 dapplication form to the ions for reducing this bu Virginia 22313-1450. DO	CFR 1.311. The informatic JU.S.C. 122 and 37 CFR E USPTO. Time will vary rden, should be sent to the O NOT SEND FEES OR	1.14 This collection i	ie eeti	imated to take 12 i	minute	s to complete includi	no oathe	ring preparing and

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10/578,025	12/27/2006	Kunihide Shikata	81880.0145	5434		
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Hogan Lovells US LLP		WIESE, 1	NOAH S			
1999 AVENUE O			ART UNIT	PAPER NUMBER		
SUITE 1400 LOS ANGELES, CA 90067		1793 DATE MAILED: 06/21/201	0			

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 687 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 687 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)			
	10/578,025	SHIKATA ET AI	SHIKATA ET AL.		
Notice of Allowability	Examiner	Art Unit			
	NOAH S. WIESE	1793			
The MAILING DATE of this communication appeal claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85)	ears on the cover sheet wi	th the correspondence address n this application. If not included	6		
NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	IGHTS. This application is a	subject to withdrawal from issue at the initia	<b>a</b> tive		
1. This communication is responsive to <u>04/14/2010</u> .					
2. X The allowed claim(s) is/are <u>25-31,33-35 and 38-40</u> .					
3. Acknowledgment is made of a claim for foreign priority ur	nder 35 U.S.C. § 119(a)-(d)	or (f).			
a) ☑ All b) ☐ Some* c) ☐ None of the:					
<ol> <li>Certified copies of the priority documents have</li> </ol>	e been received.				
<ol><li>Certified copies of the priority documents have</li></ol>	e been received in Application	on No			
<ol><li>Copies of the certified copies of the priority do</li></ol>	cuments have been receive	d in this national stage application from the	Э		
International Bureau (PCT Rule 17.2(a)).					
* Certified copies not received:					
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		e a reply complying with the requirements			
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give					
5. CORRECTED DRAWINGS ( as "replacement sheets") mus	st be submitted.				
(a) ☐ including changes required by the Notice of Draftspers	son's Patent Drawing Review	w ( PTO-948) attached			
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date					
<ul><li>(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date</li></ul>	s Amendment / Comment o	r in the Office action of			
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t					
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT	SIT OF BIOLOGICAL MAT FOR THE DEPOSIT OF BIO	ERIAL must be submitted. Note the DLOGICAL MATERIAL.			
Attachment(s)	- <b>-</b>				
1. Notice of References Cited (PTO-892)		formal Patent Application			
2. Notice of Draftperson's Patent Drawing Review (PTO-948)		ummary (PTO-413), /Mail Date			
3.  Information Disclosure Statements (PTO/SB/08),	7. ⊠ Examiner's	Amendment/Comment			
Paper No./Mail Date  4.	8. 🛛 Examiner's	Statement of Reasons for Allowance			
o. Diological Material	9. 🗌 Other				
/Noah S Wiese/					
Examiner, Art Unit 1793					